

**WASHINGTON CITIZENS' COMMISSION ON
SALARIES FOR ELECTED OFFICIALS**

MINUTES

Special Meeting
November 18, 2004
Prime Hotel
SeaTac

The special meeting of the Washington Citizens' Commission on Salaries for Elected Officials was convened in SeaTac and brought to order by Sue Byington, Chair, at 9:20 AM, on November 18, 2004.

COMMISSION MEMBERS PRESENT

Ms. Alyea	Mr. Baxter
Mr. Boggs	Ms. Byington
Mr. Carlisle	Mr. Doman
Ms. Hanson	Mr. Hopkins
Ms. Hornbeck	Mr. Irwin
Mr. Ryan	Dr. Schwartz
Ms. Wicks	

COMMISSIONERS EXCUSED

Ms. Hightower	Mr. Blaney
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COMMISSIONER UNEXCUSED

Mr. Holzmeister

STAFF PRESENT

Ms. Sayer
Ms. Pinero

**MOTION BY MR. IRWIN TO APPROVE THE MINUTES OF THE JUNE 25, 2003 TELECONFERENCE CALL MEETING;
SECOND BY MS. HORNBECK.**

CHAIR BYINGTON CALLED FOR A VOICE VOTE; THE MOTION PASSED UNANIMOUSLY.

ESTABLISH A MEETING SCHEDULE FOR THE 2005 SALARY SETTING SESSION.

The following proposal was presented for Commission consideration.

Date	Time	Location	Meeting
January 27 (Thursday)	9 AM – 4 PM	General Administration Auditorium* Olympia	Legislative/ Judicial Presentations Public Hearing Work Session to adopt the Proposed Salary Schedule
February 24 (Thursday)	9 AM – 4 PM	General Administration Auditorium* Olympia	Executive Branch Presentations Public Hearing Work Session
March 24 (Thursday)	6 PM – 9 PM	Vancouver	Public Hearing Work Session
April 28 (Thursday)	6 PM – 9 PM	Wenatchee	Public Hearing Work Session
May 19 (Thursday)	9 AM – 4 PM	Sea-Tac	Public Hearing Work Session Adopt the 2005-06 Salary Schedule

*The January and February meetings were tentatively scheduled by staff because the General Administration Auditorium is heavily used during legislative session.

Rationale for Meeting Sites

1. The Commission, at the September 30th orientation, determined that it would be beneficial to not schedule all of the elected officials' presentations at one meeting as had been done in the past. To achieve maximum participation by the Executive Branch elected officials, it was recommended that the February meeting also be held in Olympia.
2. Vancouver and Wenatchee were proposed as meeting sites to provide citizen access in South West and Eastern Washington.
3. The May meeting was proposed for the Sea-Tac area for ease of commissioners' travel, to maximize media coverage, and to enable staff to provide timely information to the media and public officials whose salaries are set.

MOTION BY MR. IRWIN TO APPROVE THE 2005 MEETING SCHEDULE; SECOND BY MS. HANSON.

CHAIR BYINGTON CALLED FOR A VOICE VOTE; THE MOTION PASSED UNANIMOUSLY.

PRESENTATION OF THE WILLIS POINT FACTOR EVALUATION OF THE LEGISLATURE AND JUDICIAL BRANCHES BY CONSULTANT FRED OWEN

Prior to Mr. Owen's power point presentation of the Willis Study findings, Chair Byington explained the history and reasons behind conducting the study, stating that at the May 19, 2003 meeting, the Commission directed the Executive Director to seek supplemental funding from the 2004 Legislature to hire a consultant to conduct a Willis Point Factor Evaluation study of the positions in the Legislative and Judicial Branches of government. Funding in the amount of \$35,000 was approved by the Legislature and the Executive Director entered into a contract with Owen-Pottier to conduct the work.

Mr. Owen presented his written report to the Commission and gave an overview of the project method, scope, and recommendations.

Communication – Briefing sessions with legislative leaders and staff and the Board for Judicial Administration and Office of the Administrator of the Courts were held to outline the process and expected outcomes and request nominees to be interviewed by the consultant.

Data Collection – This step included the selection of interviewees by legislative and judicial leaders. The consultant interviewed 12 judges of the four levels and various locations and 12 legislators located across the state. The interviews focused on job requirements.

Job Evaluation – The consultant used the same method that has been used to evaluate other positions in state service. The Willis system systematically measures job requirements and key factors such as the knowledge, skills and abilities required by the job; the complexity, analysis, and decisions made; and accountability for results – the consequences of the action taken.

External Comparisons – The consultant considered salaries of Washington State agency heads, Exempt Management Service, Washington elected officials, legislators and judges in the 13 comparable states, University of Washington law school faculty, judges of the Federal bench, and attorneys in private and public practice.

Analysis – The consultant found that for the position of legislator, the most comparable positions were in the state Exempt Management Service (EMS). Like the position of legislator, the EMS positions influence policy. The consultant found that for the judicial positions, the most comparable are those on the Federal bench.

Mr. Owen's findings were that the Legislative and Judicial branch salaries were not far out of line and made the following recommendations:

1. Legislature – Cost of Living adjustments each year of the biennium plus 1% each year of the biennium to move towards EMS.
2. Judicial – Cost of Living adjustments each year of the biennium plus 1% to 2% each year of the biennium to move toward the Federal judiciary. Retain the 5% differential between the levels of judges.

Legislators have, in the past, requested that their position be compared to that of County Commissioners, however, Mr. Owen believes that would not be appropriate since County Commissioners have responsibilities that Legislators do not such as budget, policy, administrative, human resource, labor relations, et cetera.

Mr. Owen referred commissioners to Chart A in the written report. It displays several comparisons with salary practices for the legislature and the judiciary.

Mr. Owen explained that for many years, the state of Washington has made comparisons with the compensation practices of 11 states which were recommended by the consulting firm of Arthur Young & Company as being comparable for compensation comparisons. These states compare in per capita state expenditures, per capita income, average hourly earnings, number of full-time state employees per capita, and per capita state expenditures for education. The original 11 comparable states were: Arizona, California, Colorado, Illinois, Iowa, Michigan, Minnesota, Nevada, Oregon, Utah, and Wisconsin. Idaho and Montana were later added to by the state Office of Financial Management because of their proximity to Washington.

He referred commissioners to the area of Chart A depicting legislator comparisons and explained that the diamond plot labeled "10 State Legislatures" is plotted at the same evaluation points as the recommended evaluation for Washington legislators. The average salary for the 10 comparable state legislatures is \$41,757 but when calculated at 70% for the three full-time legislatures (California, Illinois, and Michigan), the average is \$34,724. The heavy bullet plot labeled "13 State Legislatures" is plotted at the same number of points with an average compensation of \$28,942. This comparison is lower because three of the comparable states (Montana, Nevada, and Utah) do not pay their legislators a salary.

Mr. Owen stated that in his opinion the more reliable comparison is the "10 State Legislatures" salaries with the three full-time legislatures valued at 70% of full-time to assure an appropriate comparison with Washington.

Commissioners, Doman, Hopkins and Hornbeck expressed concerns about including the \$28,942 "13 State Legislatures" data. They felt it was confusing and misleading and could easily be misunderstood by people not familiar with legislative compensation practices in the 13 comparable states. Mr. Owen was asked whether it would be possible to delete that reference. He responded that he could not change the report.

In reference to a question from Ms. Byington, Ms. Sayer stated that the document presented at today's meeting must be considered the consultant's final report in accord with the provisions of the contract with Owen-Pottier.

PUBLIC MEETINGS PROCEDURES

Ms. Sayer stated that prior commissions have found *Robert's Rules of Order* useful as a guide for organized and orderly meetings. Following parliamentary procedures results in smooth, fair, and more efficiently run meetings. *Robert's Rules of Order* has been utilized by the Commission as a tool, not an absolute authority or mandate on how meetings will be conducted.

The Commission's enabling statute, Chapter 43.03.310 RCW states *...the commission shall be solely responsible for its own organization, operation, and action...*

In 2001, the Commission adopted formal procedures under the Washington Administrative Code process for conducting its meetings and order of business.

1. All Commission meeting business shall be transacted by motion. Motions may be made by any commission member and shall require a second.
2. Voting on all motions shall be by voice vote unless a division is called for in which case the executive director shall call the roll in alphabetical order and record the vote of each member present, "yea" or "nay".
3. The order of commission meeting business shall be conducted as prescribed by the agenda.
4. The executive director shall prepare each meeting's agenda in consultation with the chair.
5. The commission shall approve the minutes of the preceding meeting as the first act of each meeting.
6. The chair or any commission member may modify a meeting's agenda by motion.
7. The presence of eight members of the Commission shall constitute a quorum. Nine affirmative votes are required to adopt the salary schedule.

The Open Public Meetings Act requires that all business conducted by the Commission be done in an open public forum.

APPROVAL OF THE FORMAT FOR THE 2005 EXECUTIVE BRANCH ELECTED OFFICIALS' PRESENTATIONS

The following proposed format for the 2005 presentations by the Executive Branch elected officials was discussed. Presentations by the Executive Branch officials will be limited to 20 minutes each, 10 minutes for the presentation and 10 minutes for questions and answers.

1. Describe the most critical duties and responsibilities of your position
2. Have there been significant changes in the duties, responsibilities, and/or scope of your position since it was last reviewed in 2003?
3. Do the duties of your office require that you have a particular credential or degree? If so, why is your office different in this respect from other elected offices?
4. What salary do you believe is appropriate for the duties and responsibilities of your position?
5. What state government, other public positions, or private sector positions do you believe would be appropriate benchmarks or comparisons to your position and why?
6. What is the relationship of your salary to your most senior subordinates?
7. In the 2005 salary setting session, the elected officials' salaries for 2005 and 2006 will be set. How do you see the current budget and economic situation affecting consideration of elected officials' salary changes for 2005 and 2006?
8. Is there additional information about your position that you believe the Commission should consider in setting the salary for your position?

The following changes were added to the format:

1. Question #1 - add accountability
2. Question #3 - add special knowledge, skills and abilities
3. Question #6 – for the Governor only, delete this question from the questionnaire sent to the other Executive Branch Officials.

The Commission requested that a letter be drafted to outgoing Governor Locke inviting him to appear before the Commission during the January or February meeting. The request is based on a desire to hear the Governor's philosophy regarding setting compensation levels for elected and appointed officials.

The Commission similarly would like a letter drafted inviting the new Governor to appear at the February meeting.

MOTION BY MR. IRWIN TO APPROVE THE 2005 FORMAT FOR THE EXECUTIVE BRANCH ELECTED OFFICIALS PRESENTATIONS AS MODIFIED AND DIRECT THE DIRECTOR TO CONTACT ELECTED OFFICIALS TO INVITE THEM TO PRESENT TESTIMONY AT THE COMMISSION AT THE JANUARY AND FEBRUARY MEETINGS; SECOND BY MR. HOPKINS.

CHAIR BYINGTON CALLED FOR A VOICE VOTE; THE MOTION PASSED UNANIMOUSLY.

ELECTION OF OFFICERS

Historically, the Commission has elected officers prior to the beginning of the salary setting session. The Director contacted Ms. Byington and Mr. Ryan to determine whether they would be willing to continue serving as Chair and Vice Chair. Mr. Ryan declined to continue to serve but Ms. Byington stated her willingness to serve as Chair if re-elected.

The Director noted that a new Chair would need to be elected at the May 19th meeting because Ms. Byington's term ends June 30, 2006.

MOTION BY MS. HORNBECK TO RE-ELECT MS. BYINGTON AS CHAIR FOR THE 2005 SALARY SETTING SESSION; SECOND BY MR. HOPKINS.

CHAIR BYINGTON CALLED FOR A VOICE VOTE; THE MOTION PASSED UNANIMOUSLY.

MOTION BY VICE CHAIR RYAN TO ELECT MR. HOPKINS VICE CHAIR FOR 2005 SALARY SETTING SESSION; SECOND BY MS. HORNBECK. MS. HORNBECK DECLINED TO BE NOMINATED AS VICE CHAIR.

CHAIR BYINGTON CALLED FOR A VOICE VOTE; THE MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 1:30 PM

Sue Byington, Chair

Date